

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND**

In Re:	Case Number: 18-25027 WIL
Eugene I Kane, Jr.	
Debtor	Chapter: 13

**DEBTOR'S AMENDED NOTICE OF OBJECTION TO  
PROOF OF CLAIM BY DEPT OF EDUCATION**

Comes Now the Debtor, Eugene I Kane, Jr. and files an objection on behalf of Eugene I Kane, Jr. to the proof of claim filed by the Department of Education Corporation on April 30, 2019.

Debtor is objecting to the claim filed by the US Department of Education for the following reasons:

1. The Debt is entirely disputed.
2. Debtor had received a phone call over a year ago from some collection person regarding a debt supposed incurred by the Debtor for loan regarding his child (college loans). Debtor advised the person that the debt was disputed as the Debtor had no recollection of such a debt, did not recall signing any agreements for borrowing money regarding himself or his child, and requested the person provide any documentation supporting the assertions by the collection person. The collection person agreed to provide said documentation. Debtor believes the collection person was mistaken as no such debt agreement was entered into by the Debtor and believed that the lack of documentation (as agreed to be provided) was proof that the conversation

established the error in the information by the collection personnel. No details regarding the terms of payment or the nature of the debt are known by the Debtor. Various defenses such as statute of limitations etc may be raised depending on the specifics of the loan alleged.

3. Upon receipt of the proof of claim on April 30, 2019, the Debtor sent an email (edbankruptcy@ecmc.org) on May 3, 2019 6:07 PM to the person identified (Mimi Lo) challenging the debt and the responsibility of the Debtor. No response had been received. A second email has been sent today May 9, 2019. A response has now been received.

4. Presently, the debt (proof of claim #6) is disputed and is not included in the Chapter 13 Plan.

Creditor or Creditor's Counsel is requested formally to notify the undersigned and the Court if a hearing is requested and provide all documentation substantiating the debt. *Creditor shall have thirty (30) days to file a response or exception to the Debtor's Notice of Objection.*

**HEARING REQUESTED**

**Debtor requests a hearing on the merits of the claim by the US Dept of Education.**

Respectfully Submitted

LAW OFFICES OF EUGENE I KANE JR.

*Eugene I Kane, Jr.*

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COUNSEL FOR DEBTOR KANE  
individually and jointly

I HEREBY CERTIFY that on this May 29, 2019 (originally May 9, 2019), a copy of the Debtor Notice of Objection to POC by US Dept of Education and COS Notice was transmitted via electronic submission or separately sent via regular mail on May 29, 2019 (originally May 9, 2019) if not served via the Court to the following parties of interest:

Nancy Spencer Grigsby, Chapter 13 Trustee  
Brian Tucci, Esquire  
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Annapolis, Maryland 21401  
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All Creditor listed on the electronic matrix

*Eugene J. Kane, Jr.*  
/s/

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Signature

**IN THE UNITED STATES BANKRUPTCY COURT  
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**COURT ORDER REGARDING DEBTOR'S  
AMENDED NOTICE OF OBJECTION TO  
PROOF OF CLAIM BY US DEPT OF EDUCATION  
AND RESPONSE BY SAME**

UPON consideration of the Debtor's objection to the proof of claim by U.S. Dept of Education and the creditor's response thereto, it is the determination of the Court that the objection to the proof of claim is sustained and accordingly, it is hereby,

ORDERED, the objection is GRANTED and

ORDERED, the claim is disallowed.

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U.S. Bankruptcy Court

Date

COPIES TO

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All Creditor listed on the electronic matrix